

Joshua Koltun ATTORNEY

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Attorney for Defendants
 Doe/Klim and Doe/Skywalker

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE

ART OF LIVING FOUNDATION, a
 California corporation,

Plaintiff,

v.

DOES 1-10, inclusive,

Defendants.

Case No.: CV 10-5022-LHK

**ADMINISTRATIVE MOTION RE:
 FILING MATERIAL DESIGNATED
 CONFIDENTIAL UNDER SEAL**

*Submitted herewith under seal
 per LR 79-5[d] and Stipulated Protective
 Order [DE 75]:*

[Redacted] Motion to Strike & MPA
 [Unredacted] Motion to Strike & MPA
 [Redacted] Koltun Declaration
 [Unredacted] Koltun Declaration

Filed simultaneously in public docket:
 2nd Skywalker Declaration
 2nd Klim Declaration
 3rd Request for Judicial Notice
 Proposed Order

Pursuant to Local Rule 7-11 and 7-12 and 79-5(d) and the Protective Order in place in this action [DE 75], Doe Defendants Klim and Skywalker herewith submit under seal certain filings. This submission under seal is done solely to respect Plaintiff's designations in conformity with this Court's rules and the Protective Order, pending an adjudication on the merits by this Court of the claims of confidentiality and/or trade secrets herein, and without in any way waiving Defendants' contention that the documents and/or information contained therein are neither confidential nor trade secrets.

This Administrative Motion is necessary under LR 79-59(d) for the following reason. Plaintiff served on Defendants an Amended Trade Secret Disclosure (hereinafter "ATSD"). Plaintiff has designated Exhibits A, B & D thereto, in their entirety, as CONFIDENTIAL under the Protective Order. (There is no Exhibit C). Moreover, Plaintiff's have designated certain passages/snippets in those Exhibits as containing Trade Secrets, as indicated therein by yellow highlighting.

Defendants therefore submit under seal herewith:

- A [Redacted] Second Special Motion to Strike and Memorandum thereon, in which the putatively confidential material has been redacted – for reference purposes, the material designated trade secret is redacted with “+++”, the material designated as Confidential under the Protective Order but *not* designated Trade Secret is redacted with “^^^^”
- An [Unredacted] Second Special Motion to Strike and Memorandum thereon, in which the putatively confidential material has been **highlighted** – for reference purposes, the material designated trade secret is highlighted in yellow (as it is in the ATSD), whereas the material designated as Confidential under the Protective Order but *not* designated as Trade Secret is highlighted in violet.
- A [Redacted] Koltun Declaration, as to which the ATSD is attached as Exhibit 1, but from which Exhibits A, B & D thereto are omitted; and
- An [Unredacted] Koltun Declaration, to which the ATSD is attached as Exhibit 1, including Exhibits A, B & D.

1 Respectfully submitted,

2 Dated : September 12, 2011

3 _____/s/_____
4 Joshua Koltun
5 Attorney for Doe/Klim and Doe/Skywalker
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Joshua Koltun ATTORNEY

CERTIFICATE OF SERVICE

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is Joshua Koltun, Attorney, 101 California Street, Suite 2450, No. 500, 94111.

On **September 12 , 2011**, I served

Redacted 2nd Special Motion to Strike and MPA

Unredacted 2nd Special Motion to Strike and MPA

Redacted Koltun Declaration

By placing a true copy of the document(s) listed above in a separate and sealed envelope to be delivered by Overnight Delivery to

**Karl S. Kronenberger
KRONENBERGER BURGOYNE, LLP
150 Post Street, Suite 520
San Francisco, CA 94108**

I declare under penalty of perjury under the laws of the State of California and the United States that the foregoing is true and correct.

Executed on **September 12, 2011**, at San Francisco, California.

/s/

Joshua Koltun